



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#21

In re the Application of: **YOSHIKAWA, Kota**

Group Art Unit: 1774

Serial No.: **09/916,314**

Examiner: **GARRETT**

Filed: **July 30, 2001**

P.T.O. Confirmation No.: 8261

**FOR: ORGANIC EL ELEMENT AND METHOD OF MANUFACTURING THE SAME,
ORGANIC EL DISPLAY DEVICE USING THE ELEMENT, ORGANIC EL MATERIAL,
AND SURFACE EMISSION DEVICE AND LIQUID CRYSTAL DISPLAY DEVICE USING
THE MATERIAL**

RESPONSE TO RESTRICTION AND SPECIES REQUIREMENTS

Commissioner for Patents
Washington, D.C. 20231

Date: December 30, 2002

Sir:

This paper is submitted in response to the Official Action dated December 10, 2002.

In the Action, restriction is required between Group (I), claims 1-3, 7, 8, 11 and 13-19; and Group (II), claims 4-6, 9, 10 and 12.

Applicant hereby elects the subject matter of Group (I) claims 1-3, 7, 8, 11 and 13-19.

In addition, the Action requires an election of species. Applicant elects species A (The EL element of claims 1-3).

The election is made with traverse. It is respectfully submitted that the subject matter of each group of claims is sufficiently related such that the search and examination of one group of claims would encompass the search and examination of the other group of claims.


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Furthermore the species A of group I is drawn to the device and the species A of group II is drawn to the method and would correspond to each other. See MPEP §803 in which it is stated that if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. It is respectfully requested that this policy should apply to avoid duplicative examination by the Office and undue expense to applicants.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

Respectfully submitted,

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SGA/arf

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